

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES  
LLC,

Defendant.

Case No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

**SO ORDERED AMENDED AND  
CORRECTED STIPULATION  
GRANTING DEFENDANTS' MOTION  
TO EXTEND TIME**

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff,

Plaintiff,

v.

MALCOLM SAGE and LYNNE FLORIO,

Defendants.

Adv. Pro No. 23-01099 (CGM)

WHEREAS, on April 19, 2023 Plaintiff Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff (“Plaintiff”) filed a complaint (the “Complaint”) commencing the above captioned adversary proceeding (Adv. Pro No. 23-01099 (CGM)) (the

“Action”) against Malcolm Sage and Lynne Florio (each a “Defendant,” and together with the Plaintiff, the “Parties”).

WHEREAS, May 24, 2023 was the original deadline for the Defendants to respond to the Complaint.

WHEREAS, on May 23, 2023, the Defendants filed their *Motion to Answer or Otherwise Respond to the Complaint* [Dkt. No. 5] (the “Motion”). Through the Motion, the Defendants sought to extend their time to answer or otherwise respond to the Complaint to through and including June 30, 2023.

WHEREAS, on June 2, 2023, Plaintiff filed his response to the Motion. [Dkt. No. 11] (the “Response”).

WHEREAS, Plaintiff indicated in the Response that he does not object to the Motion.

WHEREAS, on June 20, 2023, this Court entered a So-Ordered Stipulation [Dkt. No. 19] (the “Original Stipulation”) dated June 7, 2023 extending the deadline to answer or otherwise respond to the Complaint until June 23, 2023 (the “Answer Deadline”).

WHEREAS, immediately following the entry of the Original Stipulation, the Parties became aware of an error in the Original Stipulation as submitted, as the Parties’ intended that the Answer Deadline be June 30, 2023 as requested in the Motion and not June 23, 2023.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY STIPULATED AND AGREED by and between the Parties that it is hereby:

1. **ORDERED** that the Motion is granted and Defendants’ time to answer or otherwise respond to the Complaint is hereby extended through and including June 30, 2023; and it is further

2. **ORDERED** that this stipulation is without prejudice to the right of any Party to seek a further extension of the Answer Deadline; and it is further
3. **ORDERED** that this stipulation supersedes and corrects the Original Stipulation; and it is further
4. **ORDERED** that nothing in this stipulation constitutes any Party's consent to the final orders or judgment by the Bankruptcy Court.

Dated: June 22, 2023  
New York, New York

Of Counsel:

**BAKER & HOSTETLER LLP**  
127 Public Square  
Cleveland, Ohio 44114  
Telephone: (216) 621-0200  
Facsimile (216) 696-0740  
James H. Rollinson  
Email: jrollinson@bakerlaw.com

By: /s/ Lan Hoang

**BAKER & HOSTETLER LLP**  
45 Rockefeller Plaza  
New York, New York  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com  
Lan Hoang  
Email: lhoang@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of BLMIS and the Chapter 7 Estate of  
Bernard L. Madoff*

**OLSHAN FROME WOLOSKY LLP**

By: /s/ Jonathan Koevary  
Thomas J. Fleming  
Jonathan T. Koevary  
1325 Avenue of the Americas  
New York, New York 10019  
(212) 451-2300  
afriedman@olshanlaw.com  
jkoevary@olshanlaw.com

*Attorneys for Defendants*

**SO ORDERED:**

**Dated: June 23, 2023**  
**Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**